

REMARKS

Applicant has carefully reviewed the Office Action dated December 1, 2004. Claims 1-20 are pending in this application. Applicant has amended Claim 1 to more clearly point out the present inventive concept. Reconsideration and favorable action is respectfully requested.

Claims 1-20 stand rejected under 35 U.S.C. §103 (a) as being unpatentable over *Mayer* and *Ludwig* in combination. This rejection is respectfully traversed.

The Examiner has interpreted the *Mayer* reference as meeting substantially all limitations of Claim 1 with the exception of the step of automatically transmitting, in response to receiving a control signal, an RF signal constituting a first message packet from the wireless device to the intermediate location on the computer network and then transmitting a reply packet including the routing information associated with the first code from the intermediate location across the computer network to the wireless device. However, the *Mayer* device is very dissimilar from that associated with Applicant's present inventive system. The *Mayer* device is a device that provides for transmission of a broadcast to a television receiver (112). While the viewer/listener is viewing or listening to the broadcast, the viewer will be presented with a broadcast network telephone number. This telephone number is associated with the broadcast network but is not necessarily associated permanently with any particular advertiser location. However, there is a temporal aspect to this system. Since the purpose of the *Mayer* system is to determine the immediate response of the listener to an advertisement, dialing of this number is routed to a particular transaction processing center for an advertiser based upon the telephone number being dialed within a predetermined amount of time after it is presented. Thus, a user will view the television program and then dial the number on a more or less contemporaneous basis. The system will recognize that the phone number is dialed within a predetermined time after it was presented to the user and, if so, then the user will be routed to the appropriate location.

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To compare this with the Claims, the independent claims require that a beacon signal be transmitted from a beacon unit that is disposed at a first geographic location. It then requires this beacon signal to be received by a beacon signal receiver. The only aspect that could possibly be associated with a beacon unit would be the tower (123) that is operable to transmit a broadcast or cable TV/radio signal. It is required that this beacon signal have a first code and a second code. There is no code disclosed as being transmitted from the broadcast or cable TV/radio signal other than the telephone number. This telephone number could be argued to be unique as it has an association with some other system on the network. However, there is no second code disclosed that would be an "attribute" of the beacon unit. The only attribute of the beacon or broadcast tower would be the "call sign" for that transmitting tower. Thus, there is no second code transmitted from the beacon unit that could be an attribute of the beacon unit. The Examiner had referred to Column 2, Lines 12-21 as disclosing this aspect. However, this is nothing more than the aspect of associating the network's telephone number to an advertisement. As set forth in the Specification, the telephone number is presented to the user. However, the beacon signal receiver circuit that receives the beacon signal can be nothing more than the television. The question is whether the television is disposed in association with "a wireless device at a second geographic location." Certainly, the television is at a second geographic location, but it is not disposed in association with a wireless device. Even so, the beacon signal receiver, the TV, is required to extract a first code and a second code from the beacon signal and the only code that can be extracted from the beacon signal is a telephone number. Thus, *Mayer* does not meet this portion of the Claim. Further, the Examiner has set forth that *Mayer* is operable to receive a reply packet and, with this reply packet, then send a second message packet to the remote location. This does not occur. The user merely dials the telephone number and does not require a reply packet in order to connect to the remote location, i.e., this is a switch and a connection is thus automatically made without the requirement for a reply packet. Therefore, Applicant believes that the *Mayer* reference is deficient in a number of areas. The combination of the *Ludwig* reference does not cure these deficiencies and, as such Applicant respectfully requests the withdrawal of the 35 U.S.C. §103(a) rejection with respect to Claims 1-20.

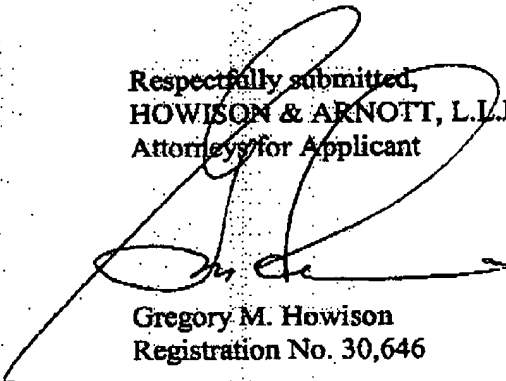
Applicant has now made an earnest attempt in order to place this case in condition for allowance. For the reasons stated above, Applicant respectfully requests full allowance of the claims as amended.

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Respectfully submitted,
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